

Applicant: Stephanus Gerardus Johannes Blackenborg
Application No: 10/593,552
Response to Restriction Requirement dated August 26, 2009
Restriction Requirement dated July 31, 2009
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The Examiner has restricted the invention under 35 U.S.C. §121 and §372 into the following groups:

Group I: Claims 15-25, drawn to a method of producing a base material for screen printing;

Group II: Claims 26-28, drawn to a base material for screen printing comprising a screen with a network of dykes; and

Group III: Claim 29, drawn to a base material for screen printing comprising an electroformed screen.

Applicant provisionally elects to prosecute Group I, claims 15-25, with traverse. In particular, Applicant provisionally elects to prosecute Group I, claims 15-25, with traverse to claims 26-28 of Group II.

The Examiner has stated that the inventions in Groups I through III are distinct, each from the other because they do not relate to a single general inventive concept under PCT Rule 13.1 because allegedly under PCT Rule 13.2 the claims lack the same or corresponding special technical features in view of US 5,573,815. Applicant respectfully traverses.

According to the Examiner, the inventions listed as Groups I-III do not relate to a single general inventive concept, because they lack the same corresponding special technical features. The Examiner has not defined the special technical features of the independent claims in each group, but instead thereof she generally states that the prior art referring to US Patent 5,573,815 is evidence that the claimed inventions, considered as a whole, do not define a contribution over the prior art.

Claim 15 relates to a method for producing a base material for screen printing, comprising a screen, a resist layer comprising photosensitive material and a protective film. In brief, the method of claim 15 comprises, *inter alia*, the technical features that the resist layer is

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applied as subsequently applied partial layers, followed by pressing the screen into the last applied partial layer of photoresist. As a result, the final product, i.e., the base material for screen printing, may have a surface of the resist layer, on the side on which the protective film is present, having an Rz value of less than 15 µm. This is defined in independent base material claim 26. Therefore, there is a clear relation between the group I claims and the group II claims.

Thus, it is respectfully submitted that at least Groups I and II are related to one another and that examination on the merits of the claims of Groups I and II be commenced.

In this respect, it should be noted that the citations from US 5,573,815 referred to by the Examiner only defines embodiments in which a photoresist is applied to one side of the metal stencil screen and the film from step A (i.e., a silver diffusion transfer photosensitive film with strippable support) was superimposed in contact in a vacuum frame with (1) a 400 mesh electroformed screen and (2) a negative photo tool. Thus, neither of these two embodiments disclose, teach or suggest the application of partial photoresist layers to a protective film followed by application of the screen, nor an Rz value in the range as specified in claim 26.

Accordingly, the claims of Group I and Group II have a single inventive concept over the cited prior art because US 5,573,815 fails to disclose, teach or suggest the special technical features of the claims of Groups I and II. Therefore, it is respectfully requested that examination on the merits proceed with claims 15-28 of Groups I and II.

Additionally, Applicant respectfully requests examination of claims 15-28 of Groups I and II with traverse to claim 29 of Group III. The preferred screen material, which is pressed into the photoresist layer, is an electroformed screen. See for example claim 17 compared to claim 29.

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For the reasons set forth above, Applicant respectfully requests that the requirement for restriction to be withdrawn and consideration of claims 15-28 on the merits be commenced and/or consideration of claims 15-29 on the merits be commenced.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Should the Examiner have any questions, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

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